

# **EXHIBIT 1**



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/722,589	11/25/2003	Ehud Cohen	06727/100J782-US5

CONFIRMATION NO. 5681

IMPROPER CPOA LETTER



OC00000030658592

7278  
DARBY & DARBY P.C.  
P.O. BOX 770  
Church Street Station  
New York, NY 10008-0770

Date Mailed: 06/25/2008

**NOTICE REGARDING POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 06/09/2008. The Power of Attorney in this application is not accepted for the reason(s) listed below:

- The Power of Attorney is from an assignee and the Certificate required by 37 CFR 3.73(b) has not been received.

/mnguyen/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

# **EXHIBIT 2**



Dkt. 78805/JFW/BB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ehud Cohen, et al.  
U.S. Serial No. : 10/722,589  
Filed : November 25, 2003  
For : TREATMENT OF DISORDERS BY UNIDIRECTIONAL NERVE STIMULATION

1185 Avenue of the Americas  
New York, New York 10036

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REVOCATION OF POWER OF  
ATTORNEY AND APPOINTMENT OF NEW ATTORNEYS

Bio Control Medical (B.C.M.) Ltd., having a place of business at 3 Giron Street, Yehud, 56100, Israel, the assignee of all the rights and interests in the above-identified application by virtue of a signed Assignment of the subject invention and patent application from the currently named inventors of the, Ehud Cohen, Yossi Gross, and Shai Ayal, a copy of which is attached hereto as Exhibit A, and a copy of the Notice of Recordation of Assignment Document issued by the United States Patent and Trademark Office in connection with the parent application attached hereto as Exhibit B, hereby revokes all powers of attorney previously granted and appoints the following attorneys: John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Philips (Reg. No. 29,691); Paul Teng (Reg. No. 40,837); and Gary J. Gershik (Reg. No. 39,992) and each of them, all c/o Cooper & Dunham LLP, 1185 Avenue of the Americas, New York, New York 10036 (Tel. (212) 278-0400), its attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

Applicants: Ehud Cohen et al.  
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Filed: November 25, 2003  
Exhibit 2

Applicants : Ehud Cohen, et al.  
U.S. Serial No.: 10/722,589  
Filed : November 25, 2003  
Page 2

Please address all communications and direct all telephone calls  
regarding this application to:

JOHN P. WHITE

COOPER & DUNHAM LLP (Customer No. 23432)

1185 AVENUE OF THE AMERICAS

NEW YORK, NEW YORK 10036

TEL. (212) 278-0421

I certify that I am authorized to sign this Revocation of Power  
of Attorney and Appointment of New Attorneys on behalf of Bio  
Control Medical (B.C.M.) Ltd.

Bio Control Medical (B.C.M.) Ltd.

By:  Date: 26/3/08

Printed Name: \_\_\_\_\_ Ehud Cohen, Ph.D.

CEO

Title: \_\_\_\_\_ BioControl medical, LTD

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# **EXHIBIT A**

49509

Express Mail Label No.

Dated: \_\_\_\_\_

**ASSIGNMENT BY INVENTORS - U.S. ONLY**

THIS ASSIGNMENT, made this 1 day of March, 2004, by Ehud Cohen; Yossi Gross; and Shai Ayal (hereinafter referred to as Assignors), residing at 8 HaCarmel Street, 55900 Ganei Tikva, ISRAEL; 10 HaNotea Street, 73160 Moshav Mazor, ISRAEL; and 9 Degania Street, Jerusalem, Israel, respectively;

WHEREAS, Assignors have invented certain new and useful improvements in TREATMENT OF DISORDERS BY UNIDIRECTIONAL NERVE STIMULATION, set forth in a Patent application for 10/722,589; and

WHEREAS, BIOCONTROL MEDICAL LTD., a Corporation organized under and pursuant to the laws of Israel having its principal place of business at 3A Giron Street, 56100 Yehud, ISRAEL (hereinafter referred to as Assignee), is desirous of acquiring the entire right, title and interest in and to said inventions and said Application for Letters Patent of the United States, and in and to any Letters Patent of the United States to be obtained therefore and thereon.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, Assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions and application for Letters Patent, and in and to any and all direct and indirect divisions, continuations and continuations-in-part of said application, and any and all Letters Patent in the United States which may be granted therefore and thereon, and reissues, reexaminations and extensions of said Letters Patent, the same to be held and enjoyed by Assignee, for its own use and benefit and the use and benefit of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent may be granted and/or extended, as fully and entirely as the same would have been held and enjoyed by Assignors, had this sale and assignment not been made.

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**AND for the same consideration, Assignors hereby represent and warrant to Assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, except for any rights, titles and/or interests that have arisen to Assignee under law or that have already been transferred to Assignee, Assignors are the sole and lawful owners of the entire right, title and interest in and to the said inventions and application for Letters Patent above-mentioned, and that the same are unencumbered and that Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.**

**AND for the same consideration, Assignors hereby covenant and agree to and with Assignee, its successors, legal representatives and assigns, that Assignors will sign all papers and documents, take all lawful oaths and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of any Letters Patent and applications for Letters Patent for said inventions, without charge to Assignee, its successors, legal representatives and assigns, whenever counsel of Assignee, or counsel of its successors, legal representatives and assigns, shall advise: that any proceeding in connection with said inventions, or said Patent application for Letters Patent, or any proceeding in connection with any Letters Patent or applications for Letters Patent for said inventions including but not limited to interference proceedings, is lawful and desirable; or, that any division, continuation or continuation-in-part of any application for Letters Patent, or any reissue, reexamination or extension of any Letters Patent, to be obtained thereon, is lawful and desirable.**

**AND Assignors hereby request the Director of Patent and Trademarks to issue said Letters Patent of the United States to Assignee, as Assignee of said inventions and the Letters Patent to be issued thereon, for the sole use and benefit of Assignee, its successors, legal representatives and assigns.**

**AND Assignors hereby grant the following individuals the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document:**

**DARBY & DARBY P.C.**

**All practitioners at Customer Number 07278**



49509

AND Assignors acknowledge an obligation of assignment of this invention to Assignee at the time the invention was made.

Date: X 1/3/04Signature: X  
Ehud CohenDate: X 1.3.04Signature: X  
Yossi GrossDate: X 2/2/04Signature: X  
Shai Ayal

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# **EXHIBIT B**



**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

OCTOBER 19, 2004

PTAS



\*102730125A\*

DARBY & DARBY P.C.  
11. PETER LUDWIG  
P.O. BOX 52357  
NEW YORK, NY 10150-5257

**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/22/2004

REEL/FRAME: 015254/0100  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).  
DOCKET NUMBER: 06727/100J782-US5

ASSIGNOR:  
COHEN, EHUD

DOC DATE: 01/03/2004

ASSIGNOR:  
GROSS, YOSSE

DOC DATE: 01/03/2004

ASSIGNOR:  
AYAL, SHAI

DOC DATE: 02/03/2004

ASSIGNEE:  
BIOCONTROL MEDICAL LTD.  
3A GIRON STREET  
56100 YEHUD, ISRAEL

**Applicants: Ehud Cohen et al.  
U.S. Serial No.: 10/722,589  
Filed: November 20, 2003  
Exhibit B**

015254/0100 PAGE 2

SERIAL NUMBER: 10722589

FILING DATE: 11/25/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: TREATMENT OF DISORDERS BY UNIDIRECTIONAL NERVE STIMULATION

KIMBERLY WHITE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS